

**REMARKS**

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks presented herein, is respectfully requested. Claims 1-47, 51-65 and 69-73 are cancelled without prejudice or disclaimer. The pending claims are claims 48-50 and 66-68.

Applicants thank Examiner Nasser for indicating at page 5 of the Office Action, that claims 48-50 and 66-68 are allowable.

The Examiner rejected claims 13, 32-33, 35-47 and 63-65 under 35 U.S.C. §112, first paragraph, as allegedly containing new matter. Without conceding to the correctness of the Examiner's position, claims 13, 32-33, 35-47 and 63-65 are cancelled. Thus, this rejection of claims 13, 32-33, 35-47 and 63-65 is rendered moot. Withdrawal of the 35 U.S.C. §112, first paragraph, rejection is therefore proper and respectfully requested.

The Examiner rejected claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* (U.S. Patent No. 5,727,569) in view of Vierra *et al.* (U.S. Patent No. 5,749,892) and Hossain *et al.* (U.S. Patent No. 6,063,021). In addition, the Examiner rejected claims 5, 27, 71 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* in view of Vierra *et al.* and Hossain *et al.*, as applied to claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72, and further in view of Furnish (U.S. Patent No. 5,498,256). Additionally, the Examiner rejected claims 7 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* in view of Vierra *et al.* and Hossain *et al.*, as applied to claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72, and further in view of Garrison *et al.* (U.S. Patent No. 5,613,937). Without conceding to the correctness of the Examiner's position, claims 1-21, 23-31, 51-62 and 69-73 are cancelled. Thus, these rejections are rendered moot. Withdrawal of the 35 U.S.C. § 103(a) rejections of the claims is therefore respectfully requested.

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Title: METHOD AND APPARATUS FOR TEMPORARILY IMMOBILIZING A LOCAL  
AREA OF TISSUE

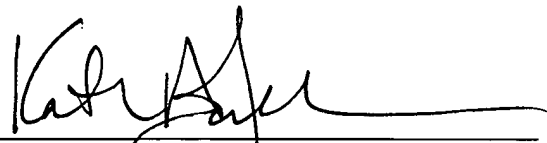
**Conclusion**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is respectfully requested. The Examiner is invited to telephone Applicants' Representative at 763-505-8423 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-2546.

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By



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